

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

AHMED SAMI,

Plaintiff,

-against-

THE CITY OF NEW YORK, OFFICER
JONATHAN MOLINA, OFFICER FNU
AYALA, AND OFFICERS JOHN DOE #1 TO
#7, Individually and as Members of the New York
City Police Department,

Defendants.

**STIPULATION AND ORDER OF
CONFIDENTIALITY**

21-cv-2785 (WFK)(CLP)

WHEREAS, pursuant to Rule 26 of the Federal Rules of Civil Procedure, Plaintiff in the above-captioned action intends to produce photographs that he deems to be confidential or otherwise inappropriate for public disclosure; and

WHEREAS, Plaintiff will only produce these documents if appropriate protection for their confidentiality is assured; and

WHEREAS, good cause exists for the entry of an order pursuant to Rule 26(c) of the Federal Rules of Civil Procedure;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the attorneys for Plaintiff and Defendants, as follows:

1. As used herein, "Action" shall mean the pending action between Plaintiff and Defendants captioned Sami v. City of New York, 21 CV 2785 (WFK)(CLP).

2. Counsel for Plaintiff shall mark the photographs produced pursuant to this Stipulation and Order of Confidentiality as "Confidential Material for Use Only in the Action Captioned Sami v. City of New York, 21 CV 2785 (WFK)(CLP)." Counsel for Defendants shall

keep confidential and not disclose the photographs produced pursuant to this Stipulation and Order of Confidentiality to any person other than members of the NYPD Legal Department for the purpose of identifying John Doe officers.

3. Before any disclosure is made to a member of the NYPD Legal Department, Defendants' counsel shall provide each such person with a copy of this Stipulation and Order of Confidentiality, and such person shall consent, in writing, in the form annexed hereto as Exhibit A, not to use the photographs for any purpose other than in connection with identifying the John Doe officers and not to make further disclosure of the photographs. Defendants' counsel shall retain the signed consent.

4. The photographs produced pursuant to this Stipulation and Order of Confidentiality, including all copies and non-conforming copies thereof, shall remain confidential for all time. Once the Action has been resolved, including all appeals, the photographs, including all copies and non-conforming copies thereof, shall not be used by Defendants for any purpose without prior Court approval..

5. The Court shall have jurisdiction to enforce the terms of this Stipulation and Order of Confidentiality.

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6. This Stipulation and Order of Confidentiality may be executed in counterparts (including emailed .pdf or facsimile), each of which will be deemed an original, and all of which, when taken together, will be deemed the complete agreement.

Dated: May 9, 2022
New York, New York

LAW OFFICES OF JOEL B. RUDIN, P.C.
Attorneys for Plaintiff
Carnegie Hall Tower
152 West 57th Street, Eighth Floor
New York, New York 10019

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street
New York, New York 10007

By: /s/ David E. Rudin
DAVID E. RUDIN

By: /s/ Matt McQueen
MATTHEW W. MCQUEEN

SO ORDERED:

Cheryl L. Pollak
HON. CHERYL L. POLLAK
UNITED STATES MAGISTRATE JUDGE

Dated: May 13, 2022

EXHIBIT A

The undersigned hereby acknowledges that (s)he has read the Stipulation and Order of Confidentiality entered in the United States District Court for the Eastern District of New York dated _____, in the action entitled Sami v. City of New York, 21 CV 2785 (WFK)(CLP), and understands the terms thereof. The undersigned agrees not to use the photographs described therein for any purpose other than in connection with the identification of the John Doe officers, and will not further disclose the photographs except in testimony taken in this case.

Date

Signature

Print Name

Occupation